

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KITRICH A. POWELL,

Petitioner,

v.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 2:06-cv-01264-KJD-DJA

ORDER

In this capital habeas corpus action, the respondents filed a motion to dismiss (ECF No. 235) on September 14, 2022. On June 29, 2023, Petitioner Kitrich A. Powell, who is represented by appointed counsel, filed an opposition to the motion to dismiss (ECF No. 245), along with a motion for leave to conduct discovery (ECF No. 248) and a motion for an evidentiary hearing (ECF No. 247). After a 30-day initial period (*see* ECF No. 100) and extensions of time of 45 days (ECF No. 253), 29 days (ECF No. 255), 60 days (ECF No. 257), 30 days (ECF No. 259), and 28 days (ECF No. 261)—now more than seven months—Respondents had until February 8, 2024, to file a reply to Powell’s opposition to the motion to dismiss and responses to Powell’s two motions.

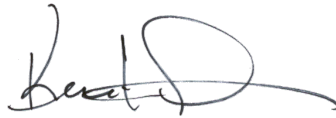
On February 8, 2024, Respondents filed a motion for extension of time (ECF No. 262), requesting a further 21-day extension, to February 29, 2024. Respondents’ counsel states that she has been working diligently on these filings and expects that she can complete them by the due date she now requests. Respondents’ counsel represents that Powell does not oppose the motion for extension of time. The Court finds that Respondents’ motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the extension of time requested.

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1 **IT IS THEREFORE ORDERED** that Respondents' Motion for Enlargement of Time
2 (ECF No. 262) is **GRANTED**. Respondents will have until and including **February 29, 2024**, to
3 file their reply to Petitioner's opposition to the motion to dismiss and responses to Petitioner's
4 motion for leave to conduct discovery and motion for an evidentiary hearing. In all other
5 respects, the schedule for further proceedings set forth in the order entered August 24, 2020
6 (ECF No. 100) will remain in effect.

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8 DATED THIS 9th day of February 2024.

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11 KENT J. DAWSON
12 UNITED STATES DISTRICT JUDGE
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